

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY  
LITIGATION

Master File No. 2:12-MD-02327  
MDL 2327

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THIS DOCUMENT APPLIES TO:  
ETHICON WAVE 11 CASES LISTED IN  
EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT  
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION TO EXCLUDE  
PEGGY PENCE, PH.D., FOR ETHICON WAVE 11**

Come now Defendants Ethicon, Inc. and Johnson & Johnson, and hereby adopt and incorporate by reference the Ethicon Wave 3 *Daubert* motion to exclude the opinions of Peggy Pence, Ph.D.; memorandum in support; and reply brief for Ethicon Wave 11, Case No. 2:12-md-2327, Dkt. 2759, Dkt. 2760, Dkt. 3017. Defendants respectfully request that the Court exclude Dr. Pence's testimony, for the reasons expressed in the Ethicon Wave 3 briefing. This notice applies to the Ethicon Wave 11 cases identified in Exhibit A attached hereto.

Respectfully submitted,

/s/ William M. Gage

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**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

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